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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 MURUGANANANDAM ARUMUGAM,

13 Defendant.
14

Case No. CR19-041-RSL

ORDER GRANTING
UNOPPOSED MOTION TO
CONTINUE TRIAL AND
PRETRIAL MOTIONS DUE
DATE

15 This matter comes before the Court on defendant's "Unopposed Motion to Continue Trial
16 and Pretrial Motions Deadline" (Dkt. # 174). Having considered the facts set forth in the
17 motion, and defendant's knowing and voluntary waiver (Dkt. # 175), the Court finds as follows:

18 1. The Court adopts the facts set forth in the unopposed motion: in particular,
19 defendant is scheduled for state sentencing in August 2022 in King County Superior Court, and
20 defendant's counsel has a five-week criminal trial before Judge Ricardo S. Martinez, the
21 preparation for which conflicts with defendant's current trial date in this matter. The Court
22 accordingly finds that a failure to grant a continuance would deny counsel, and any potential
23 future counsel, the reasonable time necessary for effective preparation, taking into account the
24 exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(iv).

25 2. The Court finds that a failure to grant a continuance would likely result in a
26 miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i).

27 3. The Court finds that the additional time requested between the current trial date of
28 September 12, 2022, and the proposed trial date of February 13, 2023, is a reasonable period of

ORDER GRANTING UNOPPOSED
MOTION TO CONTINUE TRIAL - 1

1 delay. The Court finds that this additional time is necessary to provide defense counsel
2 reasonable time to prepare for trial, as defendant has requested more time to prepare for trial, to
3 continue to investigate the matter, to gather evidence material to the defense, and to consider
4 possible defenses. The additional time requested between the current trial date and the new trial
5 date is necessary to provide counsel for the defendant the reasonable time necessary to prepare
6 for trial, considering all of the facts set forth above.


7 4. The Court further finds that this continuance would serve the ends of justice, and
8 that these factors outweigh the best interests of the public and defendant in a speedier trial,
9 within the meaning of 18 U.S.C. § 3161(h)(7)(A).

10 5. Defendant has signed a waiver indicating that he has been advised of his right to a
11 speedy trial and that, after consulting with counsel, he has knowingly and voluntarily waived
12 that right and consented to the continuation of his trial to a date up to and including March 15,
13 2023, Dkt. # 175, which will permit his trial to start on February 13, 2023.

14 IT IS HEREBY ORDERED that the trial date shall be continued from September 12,
15 2022 to February 13, 2023, and pretrial motions are to be filed no later than December 2,
16 2022;

17 IT IS FURTHER ORDERED that the period of time from the current trial date of
18 September 12, 2022, up to and including the new trial date, shall be excludable time pursuant to
19 the Speedy Trial Act, 18 U.S.C. § 3161, *et seq.* The period of delay attributable to this filing
20 and granting of this motion is excluded for speedy trial purposes pursuant to 18 U.S.C.
21 §§ 3161(h)(1)(D), (h)(7)(A), and (h)(7)(B).

22 DATED this 26th day of July, 2022.

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25 Robert S. Lasnik
26 United States District Judge
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